

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN MCQUILKIN,

Defendant.

CRIMINAL ACTION

No. 94-356-02

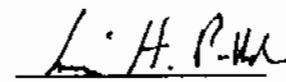
ORDER

AND NOW, this 11 of July, 2011, for the reasons discussed in the accompanying memorandum, it is hereby **ORDERED** as follows:

1. On August 2, 2011, at 2:00 p.m., the court will hold a hearing on John McQuilkin's motion to reduce the period of disability.
2. This memorandum and order will serve as notice, as required by 29 U.S.C. § 1111, to the Secretary of Labor, the District Attorney for the City of Philadelphia, the United States Attorney for the Eastern District of Pennsylvania, and the United States Probation Office for the Eastern District of Pennsylvania. A copy of this memorandum and order will be sent, via certified mail, to each of these parties.
3. The parties will be permitted to submit affidavits and/or live testimony. To the extent live testimony is offered and permitted, each side will have an opportunity to cross-examine the other's witnesses.

4. The parties are directed to provide each other, and the court, with witness lists and copies of all exhibits on or before July 25, 2011, unless directed otherwise. The witness list shall include a brief description of each witness's expected testimony.
5. Except as otherwise provided herein, the court will follow procedures applicable to the resolution of disputed factors at sentencings. *See* United States Sentencing Guideline § 6A1.3.
6. The Clerk of Court shall send a copy of this memorandum and order to the following parties:
 - A. Secretary Hilda L. Solis
Secretary of Labor
U.S. Department of Labor
200 Constitution Ave., NW
Washington, DC 20210
 - B. R. Seth Williams
District Attorney
Office of the District Attorney, City of Philadelphia
Three South Penn Square
Philadelphia, PA 19107-3499
 - C. Emily McKillip
United States Attorney's Office
615 Chestnut Street, Suite 1250
Philadelphia, PA 19106
 - D. Kyle Watts
U.S. Probation Office
William J. Green Federal Building
600 Arch Street, Suite 2400
Philadelphia, PA 19106-1797

BY THE COURT:


Pollak, J.